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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,293	12/20/2005	Robert Heimbach	P05,0152	8611
26574	7590	05/12/2008		
SCHIEF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER CHICAGO, IL 60606-6473			EXAMINER NAM, JUNG HUN	
			ART UNIT 4135	PAPER NUMBER
			MAIL DATE 05/12/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/532,293

Applicant(s)

HEIMBACH ET AL.

Examiner

JUNG H. NAM

Art Unit

4135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-100 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 50-100 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species I, II, III

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. The claims are deemed to correspond to the species listed above in the following manner:

Species I, claim(s) 50-71, 72, 99, 100, claims 50-71 and 99 are drawn to method for control of an electrographic printer or copier where data is sent to the printer which refers to a single sheet and also a transport path of a single sheet through the printer/copier to generate at least one print image on at least one side of the sheet. A system time of printer/copier is provided that is the same for at least first and second control units of printer or copier. A point in time at or until which at least one sensor signal is expected or at least one actuator is activated dependent on the transport path is established. Claims 72 and 100 are being grouped together with the method claims since these claims are drawn to a device for control of an electrographic printer which the aforementioned method can be practiced upon and could be searched together without any undue burden on the examiner.

Species II, claim(s) 73-83, claims 73-82 are drawn to a method for control of an electrographic printer or copier where a transport path for printing of a single sheet from at least first, second and third different transport path is selected. A first operating mode is provided where sheets are sent to first transport path to first and second printing group. First printing group generates image on front side and second printing group generates image on the back side. A second operating mode is provided where plurality of sheets are provided to second transport path to the first printing group or to third transport path to the second printing group. The first printing group generates image on the front side and the second printing group generates image on the front side of a further single sheet. When printing in first operating mode is completed, it is determined whether a predetermined number of sheets are to be printed only on the

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front side. If so, operating under first operating mode, the sheets are sent to the first transport path to the first printing group and to the second printing group. The first printing group generates image on the front side and the second printing group generates no image on the back side. Claim 83 is being grouped together with the method claims since this claim is drawn to device for control of an electrographic printer which the aforementioned method can be practiced upon and could be searched together without any undue burden on the examiner.

Species III, Claims(s) 84, 85-98, claims 84-95 are drawn to method for control of an electrographic printer or copier where the arrival time of first and second single sheets are determined and that time is compared with a desired time. Upon comparison, the transport speed of the sheet is adjusted. Claims 96-98 are being grouped together with the method claims since these claims are drawn to a device for control of an electrographic printer which the aforementioned method can be practiced upon and could be searched together without any undue burden on the examiner.

There seems to be no generic claim(s).

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT rule 13.2, the species lack the same or corresponding special technical features for the following reasons: Species I is drawn to providing a synchronized time to the system and using that time to establish when a sensor or actuator is communicated. Species II is drawn to the different modes the printer can operate under where the different modes correspond to different transport

paths the medium can traverse. Species III is drawn to controlling the transporting speed of the medium. For the aforementioned reasons, these species are not so linked as to share the same or corresponding special technical features.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Brewster can be reached on (571)272-1854. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jung H Nam/
Examiner, Art Unit 4135

/J. H. N./
Examiner, Art Unit 4135

/Jessica T Stultz/
Primary Examiner, Art Unit 4135